

PERSONNEL

20 January 1976

STATINTL

SELECTION PROCESSES FOR OVERSEAS POSITIONS
IN FOREIGN COUNTRIES WITH EXCLUSIONARY POLICIES

1. The purpose of this Notice is to underscore the applicability of Executive Order 11478, the Equal Employment Opportunity Act of 1972 (P.L. 92-261), the Agency Discrimination in Employment Act of 1967 as amended by P.L. 92-269, and pursuant regulations to Agency personnel actions, including those which involve overseas assignment of Agency employees to foreign countries which have adopted exclusionary policies based on a person's race, color, religion, national origin, sex or age.

2. In making selections for overseas assignment, the possible exclusionary policies of the country to which an applicant or an employee is to be assigned will not be a factor in any part of the selection process of the Agency. United States law must be observed and not the policy of the foreign nation. Individuals, therefore, will be considered and selected solely on the basis of merit factors without reference to race, color, religion, national origin, sex or age. Persons will not be "selected out" at any stage of the selection process because their race, color, religion, national origin, sex or age does not conform to any formal or informal requirements set by a foreign nation. No job requirements will list that the host country has an exclusionary entrance policy or that a visa is required.

3. If a host country refuses, on the basis of exclusionary policies related to race, color, religion, national origin, sex or age, to grant

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a visa to an employee who has been selected for an overseas assignment, the Agency will advise the Department of State of this act. The Department will take appropriate action through diplomatic channels to attempt to gain entry for the individual.

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Director